

375-5-2-.27 Third Party Tester Program Definitions

(1) Third Party Tester Program - A program authorized by the General Assembly in H. B. 1168 during the 2004 Legislative Session for the purpose of conducting a six (6) month pilot program Code Section 40-5-27 of the Official Code of Georgia Annotated for whereby licensed driver training schools approved by the Department of Driver Services ~~to~~ may administer an on the road test to students who successfully complete ~~a thirty (30) hour of classroom instruction and six (6) hours of actual behind the wheel instruction~~ any of the approved methods of driver training specified in paragraph (1) of subsection (d) of said Code Section.

(2) Approved Road Course - A course approved by the Department of Driver Services for the purpose of conducting on the road testing by a licensed Driver Training School approved as a Third Party Tester.

(3) Cancellation - A Tester or Examination's certification is terminated by the Department because of some error defect in the certification or because the Tester or Examiner is no longer entitled to such certification. The cancellation of certification is without prejudice, and application for a new certification may be made at any time after such cancellation.

(4) Department - Department of Driver Services.

~~(4)~~ (5) Examiner - Any natural person, not an employee of the Department ~~Of Driver Services~~, who is certified by the Department as a Third Party Examiner to administer Driver's License testing through a Third Party Tester at an approved Driver Training School.

~~(5)~~ (6) Monitor - ~~Department of Driver Services~~ An employee of the Department who is responsible for conducting random examinations, inspections and audits of Third Party Testers and Examiners for compliance with state laws and agency rules and regulations. Random examinations may be performed by a Monitor or at a Department Customer Service Center.

~~(6)~~ (7) Revocation - A Tester or Examiner's certification is terminated by formal action of the Department which privilege shall not be subject to renewal or restoration, except that an application for a new license may be presented to and acted upon by the Department after the expiration of the applicable period of time prescribed by the Department. A revocation shall be for a period of at least one (1) year or indefinitely.

~~(7)~~ (8) Suspension - A Tester or Examination's certification is temporarily withdrawn by formal action of the Department, which temporary withdrawal shall be for a period specifically designated by the Department.

~~(8)~~ (9) Tester - Any licensed driver training school that has been licensed to conduct driver's license testing through approved Third Party Examiners. The Driver Training School must have been licensed for a minimum of two (2) years prior to applying as a Third Party Tester.

Authority: O.C.G.A. §§ 40-5-4, 40-16-2, 40-16-3, 40-16-4, 40-16-5, 40-5-27, 40-5-101

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The purpose of this amendment is to update the current rule to reflect statutory changes resulting from Senate Bill ("SB") 212 from the 2019 Legislative Session of the Georgia General Assembly that becomes effective on January 1, 2020.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES

The proposed amendments include a definition for "Department" to include the Department of Driver Services. The proposed amendments also include changes to existing language to reflect changes to O.C.G.A. § 40-5-27 resulting from SB 212 from the 2019 Legislative Session.